IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 45813-M of 2006

DATE OF DECISION : 08.09.2006

Naib Singh

.... PETITIONER

Versus

State of Punjab

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Anter Singh Brar, Advocate,
for the petitioner.

Mr. N.S. Gill, AAG, Punjab.

* * *

Petitioner Naib Singh has filed this petition under Section 439 of the Code of Criminal Procedure for the grant of regular bail in case FIR No. 10 dated 20.1.2006 under Sections 307/447/34 IPC, registered at Police Station Dialpura, District Bathinda.

I have heard counsel for the parties and gone through the contents of the FIR as well as the order dated 26.5.2006, passed by Sessions Judge, Bathinda, whereby bail application of the petitioner has been dismissed.

In this case, it has been alleged that the petitioner gave Kasia blow on the head of Nahar Singh complainant and this injury has been found dangerous to life. Counsel for the petitioner contends that the injured was discharged after five days. He further contends that in the alleged occurrence, the petitioner has also received injury, regarding which he has filed a complaint against the complainant party, in which they have been summoned to face trial. Counsel submits that the petitioner is in custody since 23.1.2006. He further submits that till now, out of fifteen witnesses cited by the prosecution, only two have been examined and the trial is not likely to conclude soon. These facts have not been disputed by the State

Counsel.

In view of the aforesaid facts and keeping in view the custody period of the petitioner, without expressing any opinion on the merits of the case, I deem it appropriate to grant bail to the petitioner. He is, accordingly, ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of the trial court.

September 08, 2006 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**